

LABOR SERVICES DIVISION[875]

Adopted and Filed

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board (Board) hereby amends Chapter 71, “Administration of the Conveyance Safety Program,” Chapter 72, “Conveyances Installed On or After January 1, 1975,” and Chapter 73, “Conveyances Installed Prior to January 1, 1975,” Iowa Administrative Code.

In March 2014, an elevator industry trade publication published a detailed study about children being trapped and seriously injured due to hazardous elevator doors. The study also described weaknesses in the applicable codes. The Board assigned a subcommittee to study the issue, and these amendments are the result. The entrapment risk occurs primarily in elevators built to the residential elevator code, and elevators built to the residential code are not allowed in buildings under the Board’s jurisdiction. However, for a number of years Iowa law allowed residential elevators to be installed in public buildings. It is estimated that there are about 200 residential elevators operating in public buildings in Iowa. These amendments require that safety devices be installed in these elevators to prevent child entrapment.

The purposes of these amendments are to protect the health and safety of the public and implement legislative intent.

Notice of Intended Action was published in the February 4, 2015, Iowa Administrative Bulletin as **ARC 1853C**. One national elevator industry association commented on the proposed amendments. The comments were in support of preventing injuries caused by residential elevator doors but encouraged the use of other solutions, which are more costly. The Board considered the suggestions but opted to proceed with light curtains as proposed in the Notice of Intended Action.

Since publication of the Notice of Intended Action, the Board added an amendment to subrule 71.16(14) (see Item 1). Installation of the light curtains required by these rules requires that an alteration permit be issued in advance. The fee for an alteration permit on an elevator is \$500. In furtherance of the Board’s goal of minimizing the compliance costs, the amendment to subrule 71.16(14) provides a narrow exemption from the alteration permit fee for projects undertaken solely to comply with these amendments.

No variance procedures are included in this rule making. Applicable variance procedures are set forth in 875—Chapter 66.

After analysis and review of this rule making, an impact on jobs may occur. However, these rules are intended to prevent a specific hazard to children, with a minimum of expense.

These amendments are intended to implement Iowa Code chapter 89A.

These amendments shall become effective on June 3, 2015.

The following amendments are adopted.

ITEM 1. Amend subrule 71.16(14) as follows:

71.16(14) Fee waiver.

a. When a state inspector combines in one visit two different types of inspection on a single conveyance, the commissioner may waive the lesser of the fees.

b. The fee for an alteration permit shall be waived by the commissioner if the only alterations covered by the permit application are required by rule 875—72.26(89A) or 875—73.27(89A). The fee waiver set forth in this paragraph does not eliminate the requirement to pay for an acceptance inspection or for an operating permit.

ITEM 2. Adopt the following **new** rule 875—72.26(89A):

875—72.26(89A) Child safety guards. Unless the car door on a passenger elevator consists of a solid panel, the following criteria shall be met:

72.26(1) A multipoint light curtain shall be installed between the car door and the edge of the car platform.

72.26(2) A second multipoint light curtain shall be installed at the hoistway opening of each floor where a gap of more than 5 inches exists between the car light curtain and the hoistway door.

72.26(3) Each light curtain required by this rule must deactivate the elevator if the light curtain does not function or if the light curtain is obstructed by an object larger than a 4-inch ball.

ITEM 3. Adopt the following new rule 875—73.27(89A):

875—73.27(89A) Child safety guards. Unless the car door on a passenger elevator consists of a solid panel, the following criteria shall be met:

73.27(1) A multipoint light curtain shall be installed between the car door and the edge of the car platform.

73.27(2) A second multipoint light curtain shall be installed at the hoistway opening of each floor where a gap of more than 5 inches exists between the car light curtain and the hoistway door.

73.27(3) Each light curtain required by this rule must deactivate the elevator if the light curtain does not function or if the light curtain is obstructed by an object larger than a 4-inch ball.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/29/15.